

CRIMINAL DIVISION

Lockup No: 8

Case No:

COMPLAINT

District of Columbia ss:

Defendant's Name:	Rashid Caviness	608464	11119754
	(First) (MI) (Last)	(PDID)	(CCNO)
Also Known As:	Rashid Caviness-Bey		
	(First) (Middle) (Last)		
Address:	MADISON STREET N.W., WASHINGTON DC		

Rashid Caviness aka Rashid Caviness-Bey, within the District of Columbia, while armed with a firearm, and with the intent to kill another and to inflict serious bodily injury on another and with a conscious disregard of an extreme risk of death or serious bodily injury to another, caused the death of Osman Al-Akbar by shooting him with firearm on or about August 17, 2011, thereby causing injuries from which Osman Al-Akbar died on or about August 17, 2011. (Second Degree Murder While Armed, in violation of 22 D.C. Code, Sections 2103, 4502 (2001 ed.))

Co-Defendants:

Ante Miza

Affiant's Name

Subscribed and sworn to before me this 18 day of August, 2011

(Judge) (Deputy Clerk)

WARRANT

To The United States Marshal or any other authorized federal officer or the Chief of Police of the District of Columbia:

WHEREAS the foregoing complaint and affidavit supporting the allegations thereof have been submitted, and there appearing probable cause and reasonable grounds for the issuance of an arrest warrant for

YOU ARE THEREFORE COMMANDED TO BRING THE DEFENDANT BEFORE SAID COURT OR OTHER PERSON ENUMERATED IN 18 U.S.C. 3041 forthwith to answer said charge.

Issued _____ Judge - Superior Court of the District of Columbia

Judge - Superior Court of the District of Columbia

Rule 105: 

Judge

Sex: Male	DOB: 08/03/1992	CCN: 11119754	PDID: 608464
Papering Officer: Anthony D Mcgee			Badge No.: D21446

OFFICER MUST EXECUTE RETURN

Officer's Name:	Date / Time:		
AUSA Signature: 	Fel. I <input checked="" type="checkbox"/>	AFTC <input type="checkbox"/>	Fel. II <input type="checkbox"/>

**SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION**

UNITED STATES

VS.

RASHID CAVINESS aka RASHID CAVINESS-BEY

On Wednesday, August 17, 2011, at approximately 0139 hours, a Metropolitan Police Department ("MPD") Officer was working outside employment in the parking lot of the 1400 block of Girard Street, Northwest, Washington, D.C. While in the parking lot, the officer heard several gunshots. The officer recognized that the gunshots were coming from the 2600 block of University Place, NW, Washington, D.C. The officer walked in the direction of the gunshots and observed two subjects standing on the sidewalk and one subject standing in the street. The officer saw the subject in the street extend his arm downward, at which time the officer heard a single gunshot and saw a muzzle flash. After seeing the three individuals flee the area, the officer alerted dispatch and gave a look out based on what he had observed. The officer did not hear any other gunshots in the area, other than those described above. MPD officers responded and started to canvass the area.

MPD Officer Decastro and his partner responded to 15th and Fuller Streets, NW, in response to a call for shots fired. Officer Decastro approached an alley where a witness pointed to a trash can while stating that the suspects had placed a black shirt in the can. Officer Decastro looked in the trash can and found a black shirt. Officer Decastro then went to the alley and observed two individuals, a juvenile and Defendant Caviness aka Caviness-Bey (hereinafter "Defendant"), lying at the bottom of the stairs flat on the ground. The individuals were apprehended.

During the course of the investigation, witnesses were located and interviewed by detectives of the Homicide Branch. W-2 stated that before the shooting, IT observed three black males exit a park located in the 2600 block of University Place, NW. Two of these subjects were wearing black shirts with something covering their faces. The third subject was wearing a white shirt with the handle of a handgun sticking out of the waistband of his pants. These subjects all walked south towards Meriden Hill Park.

The events and acts described above occurred primarily in the District of Columbia and were committed as described by defendant(s) listed in the case caption.

Subscribed and sworn before me this 18 day of August, 2011


Detective Anthony McGee
Police Officer

D2-1446
Badge

Homicide Branch
District


Deputy Clerk

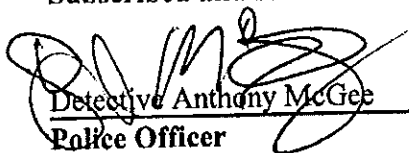
A short time thereafter, W-2 heard gunshots and observed two of the same black males exiting an alley located west of the 2600 block of University Place, NW, and onto the 1400 block of Fuller Place NW. The two males fled to the 1500 block of Fuller Place, NW, where W-2 observed one of the males take off his shirt and put his shirt into a nearby trash can. The two males then entered an alley in the 1500 block of Fuller Place. W-2 observed MPD officers enter the alley and subsequently exit the alley with the two subjects. The two subjects with the police were the same two individuals that W-2 observed entering the alley. In addition, W-2 stated that one of subjects that IT observed running into the alley was the same subject that IT saw earlier with the handgun. There is no outlet to the alley because the area is fenced in. As noted above, an MPD Officer went to the trash can identified by W-2 and found a black shirt.

W-1 stated that IT observed two black males running from the alley that is adjacent to the 2600 block of University Place, NW. W-1 stated that one of the males had what IT described as long and thick dread lock hair running with a gun in his hand and removing a black shirt. W-1 stated that the black male appeared to throw the shirt into a trash can and then run into the alley on the south side of the 1500 block of Fuller Street, NW. W-1 stated that the other male was wearing a black shirt and that he ran into the same alley on Fuller Street, NW. When an MPD officer responded to the alley, W-1 notified the officer that the two black males had run into the alley. W-1 also advised that one of the individuals threw a shirt into a trash can. W-1 observed an MPD officer enter the aforementioned alley and later exit the alley with the same two black males that IT had just observed committing the aforementioned acts. One of the individuals, later identified as Defendant Rashid Caviness aka Caviness-Bey, was wearing black pants and a white T-shirt. The other individual, a juvenile, was wearing a white T-shirt and blue jeans. W-1 stated that IT was positive that the two individuals who the officers stopped were the same males IT observed run into the alley.

MPD officers also responded to the 2600 block of University Place, NW, where they observed an unconscious black male, later identified as Osman Al-Akbar (the "decedent"), lying in the street suffering from multiple gunshot wounds to the head and body. In the immediate area of the decedent, officers observed two gold-colored rings and a cell phone along with several pieces of the phone that appear to have been broken off. The decedent's wallet was never found. Officers recovered a bank slip from the decedent for two withdrawals at 12:34 pm on August 16, 2011, in the amount of \$20 and \$160, but no money was found on him. No shell casings were found on the scene.

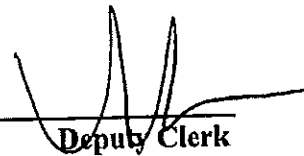
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On Wednesday, August 17, 2011, at about 0920 hours, Dr. Revercomb of the Office of the Chief Medical Examiner for the District of Columbia, pronounced the decedent dead. The cause of death were gunshot wounds and the manner was determined to be a homicide. Four projectiles were recovered from the decedent. One projectile entered the decedent's left shoulder and stopped in the neck area. Another projectile entered the right shoulder and went across into the left shoulder. A third projectile entered the lower right back and was recovered from the chest cavity. The fourth projectile entered the decedent's face below the right nostril and was recovered in the spinal area. Three of the projectiles were lead slugs and the fourth was a smaller copper-jacketed projectile.

Additional investigation has revealed the following. Sergeant James Boteler searched the alley where Defendant Caviness aka Caviness-Bey and the juvenile were apprehended, and he observed a weapon under a District of Columbia rat trap. When Sergeant Boteler got on his knees to take a closer look at the weapon, he saw two weapons under the rat trap and smelled a strong odor of gun powder consistent with the weapons just being fired. These weapons were found approximately two feet from where the two subjects were found lying on the ground. One of the weapons was a semi-automatic .380 caliber pistol, which appeared to have jammed when it misfired; that is, an expended shell casing got stuck in the slide causing the casing to "stove pipe." The other weapon was a .38 caliber revolver that had five expended shell casings and one live 9 mm round stuck in the chamber.

During a canvass of the area, officers observed a black male running on Euclid Street heading towards 16th Street NW. The black male was wearing a black shirt, blue jeans, and a white T shirt wrapped around his forehead. Police made contact with this individual and he was released.

After detectives had attempted to interview the juvenile and the Defendant at offices belonging to the Metropolitan Police Department, they were left in separate interview rooms while their cases were processed and transportation was arranged. Videotape and audiotape of the interview rooms, which had continued recording after the completion of the attempt to interview both suspects, reveals that the juvenile engaged the Defendant in a conversation in which the two suspects yelled back and forth between the walls of the two rooms. The conversation was lengthy and included the following:

- The juvenile stated, "A nigga ain't gonna beat it, somebody gotta cop." In response, the Defendant stated, "Cop to that junt," a reference the undersigned understands to mean that the Defendant wanted the juvenile to claim he committed the murder of the decedent.

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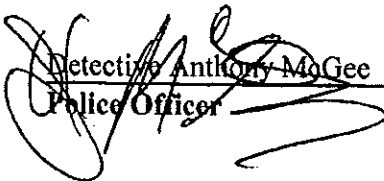
- The juvenile then stated repeatedly that he could not "go back" and that he had "too much shit going on," such as music and school. The juvenile stated, "Man, you do that cuz, whatever you need me to do just let me know." In response, the Defendant stated, "Hey, take that junt."
- The juvenile stated, "I said all three of us gonna go down. It don't make sense to lose three homies to one junt. You hear me?" The Defendant responded "Hey, take that junt."
- The juvenile stated, "On some real shit cuz. We all men. We can all go down for it and that don't make sense. All of us could have been in for one junt and that don't make no sense. I got too much going on." In response, the Defendant stated, "You going down the Hill," meaning that if the juvenile admitted to the murder, he would only be sent to a juvenile facility like (formerly named) Oak Hill.
- The Defendant stated, "They was hitting at us first." The juvenile responded, "What's that mean?" The Defendant replied, "Hey, we was protecting ourselves man." The juvenile responded, "Say What?" The Defendant again stated, "We was protecting ourselves." The juvenile replied, "That ain't gonna work. We gonna get burnt fucking around with that shit. Cuz, all of us in the same boat. If you cop, most they gonna give you is like 10. That's better than 50."

Based upon the affiant's experience, a revolver firearm does not expend shell casings.

Based upon the aforementioned facts and circumstances, your affiant submits that probable cause exists to believe that on August 17, 2011, Rashid Caviness aka Rashid Caviness-Bey, committed second-degree murder while armed against Osman Al-Akbar.

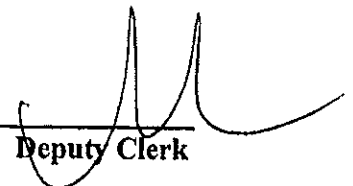
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